

REMARKS

In response to the requirement for restriction, applicants elect the invention of Group III, Claim 27.

Applicants have amended Claims 28-40 above to ultimately depend from Claim 27. Accordingly, Claims 28-40 as amended are properly members of Group III. Accordingly, examination of this application should proceed with respect to Claims 27-40.

By amendment above, applicants have canceled Claims 1-26 without prejudice to pursuing additional applications directed to the subject matter of these claims.

If the reviewing party has any questions regarding the above, he is invited to call applicants' attorney at the telephone number listed below.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE NOVEMBER 14, 2002

In the Claims:

Claims 1-26 have been canceled

28. (Amended) A method according to [Claim 15]Claim 27, wherein the absorption, transmittance or reflectance spectral raw data acquired in step (a)(i) is preprocessed using one or more preprocessing algorithms before step (a)(ii); the absorption, transmittance or reflectance spectral raw data acquired in step (b) is preprocessed using one or more preprocessing algorithms; and step (c) is carried out using the preprocessed absorption, transmittance or reflectance spectral raw data.

29. (Amended) A method according to [Claim 16]Claim 28, wherein the preprocessing algorithm reduces noise and adjusts for drift and diffuse light scatter.

30. (Amended) A method according to [Claim 16]Claim 28, wherein the preprocessing algorithm reduces the amount of absorption, transmittance or reflectance spectral raw data yet retains substantially all of the spectral information.

31. (Amended) A method according to [Claim 16]Claim 28, wherein the preprocessing algorithm calculates metrics.

32. (Amended) A method according to [Claim 15]Claim 27, wherein the absorption, transmittance or reflectance spectral raw data is acquired from more than one view of the plant embryo or portion thereof.

33. (Amended) A method according to [Claim 15]Claim 27, wherein the absorption, transmittance or reflectance spectral raw data is acquired from one or more embryo regions selected from the group consisting of cotyledon, hypocotyl and radicle.

34. (Amended) A method according to [Claim 15]Claim 27, wherein the plant embryo quality is morphology.

35. (Amended) A method according to [Claim 15]Claim 27, wherein the plant embryo quality is embryo conversion potential.

36. (Amended) A method according to [Claim 15]Claim 27, wherein the plant embryo is a plant somatic embryo.

37. (Amended) A method according to [Claim 15]Claim 27, wherein the plant is a tree.

38. (Amended) A method according to [Claim 25]Claim 37, wherein the tree is a member of the order *Coniferales*.

39. (Amended) A method according to [Claim 25]Claim 37, wherein the tree is a member of the family *Pinaceae*.

40. (Amended) A method according to [Claim 25]Claim 37, wherein the tree is selected from the group consisting of genera *Pseudotsuga* and *Pinus*.

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